PART IV

Section—2-C (i)

GENERAL STATUTORY RULES ISSUED BY THE STATE GOVERNMENT UNDER THE CENTRAL ACTS AND STATE ACTS AND RULES MADE BY THE GOVERNOR UNDER THE CONSTITUTION.

HOME SECRETARIAT

Notification No. HD 22 PES 75

Bangalore, dated 14th October 1976.

G. S. R. 344.—WHEREAS a draft of the rules further to amend the Karnataka Excise (Sale of Indian and Foreign Liquors) Rules, 1968 was published as required by sub-section (1) of Section 71 of the Karnataka Excise Act, 1965 (Karnataka Act 21 of 1966) in Notification No. GSR. 231 (HD. 22. PES. 75) dated 31st July 1975 in Part IV-2C(i) of the *Karnataka Gazette* dated 5th August 1976, inviting objections and suggestion from all persons likely to be affected thereby on or before 20th Aughst, 1976;

AND WHEREAS the said Gazette was made available to the Public on 5th August 1976;

AND WHEREAS no objections or suggestions have been received on the said draft;

Now, therefore, in exercise of powers conferred by section 71 of the Karnataka Excise Act, 1965 (Karnataka Act 21 of 1966) the Government of Karnataka hereby make the following rules, namely:—

1. **Title and commencement.**—(1) These rules may be called the Karnataka Excise (Sale of Indian and Foreign Liquors (Amendment) Rules, 1976.

(2) They shall come into force at once.

2. **Amendment of rule 4.**—In sub-rule 4 of the Karnataka Excise (Sale of Indian and Foreign Liquors) Rules, 1968 (hereinafter referred to as the said rules)—

(1) In sub-rule (1) after the words "The Deputy Commissioner of the District", the words "if the sale is within a district or to the Excise Commissioner, if the sale is in more than one district" shall be inserted;

(2) In sub-rule (2) after item (iii), the following item shall be inserted, namely:—

"(iv) If the sale is in more than one district, the names of districts";

3. **Substitution of new rule for rule 5.**—For rule 5 of the said rules the following rules shall be substituted, namely.—

"5. **Grant of Licence.**—On receipt of the application under rule 4, the Deputy Commissioner or the Excise Commissioner, as the case may be, may require such other particulars as he may deem necessary and may make inquiries for verification of the particulars furnished by the applicant and also such other inquiries as he deems fit. If the Deputy Commissioner or the Excise Commissioner, as the case may be, is satisfied that there is no objection to grant the licence applied for, he may grant the licence on payment of the fee prescribed under rule 8 for such licence :

Provided that no such licence shall be granted by the Deputy Commisfioner except with the previous sanction of the Exeise Commissioner."

4. **Amendment of rule 8.**—In sub-rule (1) of rule 8 of the said rules, for item No. 1 and entries relating thereto the following shal be substituted, namely.—

"1	Wholesale licence.—	
(*a*)	if the sale is in one district	Rs. 5000 per year
(*b*)	if the sale is in more than one district	Rs. 5000 and an additiona fee of Rs. 530 for every other distrie per year.

5. **Substitution of new form No. C.L. 1.**—For the existing Form No. C.L. 1 appended to the said rules the following form shall b substituted namely.—

"Form No. C.L. 1"

(*See* rule 3(1))

Licence for the whole-sale vend of Indian Liquor or Foreig Liqnor or both.

Register No.

Name of the Licence holder

Name of agent or vender

Locality: Town :

Street

Door No.

CONDITIONS

1. The licence shall be bound by the provisions of the Karnataka Excise Act, 1965 and any General or Special rules prescribed or which may from time to time be prescribed thereunder.

2. The previlege under this licence extends to the sale of Indian or foreign liquors of the brands furnished by the licencee. Any alterations and additions to the lists furnished should be approved by the Deputy Commissioner/Exicise Commissioner. No liquors below the strength of 250 U.P. in case of Brandy, Whisky and Rum and U. P. in case of Gin and not more than eight percent of alcohol by volume in case of Beer will ordinarily be included in the list.

3. The holder of this licence shall upon requisition by any Officer not below the grade of an Excise Assistant Inspector be bound to produce to such officer the original invoice showing the importation of all kinds of liquors for the sale of which this licence is granted for inspection and to allow the samples of the liquors in the shop to be tested.

4. The licencee is bound to maintain correct daily accounts of transactions and submit the return every month to the Excise Officers concerned within the first week of the following month.

5. The licence may be suspended or cancelled in accordance with the provisions of Section 29 of the Act and licencee or his employee shall be liable for prosecution for breach of any of the licence, under the provisions of the Act or the Act or the rules and orders made thereunder.

6. The licence shall continue in force till the. .. ..

7. No liquor shall be allowed to be consumed on the premises of the shop.

8. No liquors in quantities of less than nine litres prescribed in bottles shall be sold at a time under this licence.

9. Samples of liquors in quantities not exceeding 0-180 litre may be given to licenced dealers in liquors only.

10. In the event of the licencee neglecting to carry on his business with due care and attention it shall be competent to the Deputy Commissioner/Excise Commissioner to cancel the licence and to otherwise dispose off it at the risk of the licencee, and all loss thereby caused together with the loss accruing to Government in

consequence of the licencee not carrying on his business, shall be made good by him When a licence is cancelled any amount due to Government shall be payable at once and in default of payment shall be recovered with all losses as if these were arrears of land revenue.

11. The opening and closing hours of business shall be from 9-30 A. M to 9-00 P. M.

Office of the Deputy Commissioner .....District

Office of the Excise Commissioner in Karnataka, Bangalore.

Deputy Commissioner

....District.

Excise Commissioner,

Bangalore.

Dated the.....197.....

* Strike off whichever is not necessary.

By Order and in the name of the Governor of Karnataka,

M. P. JAYASHANKARA ARADHYA,

Under Secy. to Govt., Home Department.

Notification No. HD 55 TMR 73.

Bangalore, dated 18th October 1976.

S.R. 345.—WHEREAS a draft of the rules further to amend the Mysore Motor Vehicles Rules, 1963 was published as required by sub-section (1) of Section 133 of the Motor Vehicles Act, 1939 (Central Act 4 of 1939), in Notification No GSR 232 (HD 55 TMR 73) dated 31st July 1976 in Part IV, Section 2-C (i) of the *Karnataka Gazette* dated 5th August 1976 inviting objections and suggestions from all persons likely to be affected thereby on or before the 6th September 1976.

AND WHEREAS objections or suggestions received on the said draft has been considered.

NOW, THEREFORE, in exercise of the powers conferred by Section 66-A of the Motor Vehicles Act, 1939 (Central Act 4 of 1939), the Government of Karnataka hereby make the following rules, namely:—

1. **Title and Commencement**: (1) These rules may be called the Karnataka Motor Vehicles (Tenth Amendment) Rules, 1976.

(2) They shall come into force at once.